

REMARKS

This responds to the Office Action dated November 16, 2005, and the references cited therewith.

No claims are amended or cancelled. Claims 45-62 and 100, 101 are pending in this application.

Information Disclosure Statement

Applicant submitted a Supplemental Information Disclosure Statement and a 1449 Form on November 15, 2004 and on August 9, 2005. Applicant respectfully requests that initialed copies of the 1449 Forms be returned to Applicant's Representatives to indicate that the cited references have been considered by the Examiner.

§103 Rejection of the Claims

Claims 45-53, 55-57, 59, 60 and 62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto (U.S. Patent No. 3,803,457) in view of Farahmandi et al. (U.S. Patent No. 6,451,073).

Claims 45-52

Applicant traverses the obviousness rejection of claim 45 since there is no suggestion to make the asserted combination. The Yamamoto reference discusses a capacitor including a plurality of rolled cylindrical capacitors. (Abstract). The Yamamoto reference itself includes no reference to first and second flat stacks of capacitors, as claimed. The Office Action states that Farahmandi sets forth flat capacitor stacked plates. The Office Action asserts "it would have been obvious to modify the Yamamoto system with the same, such a choice dependent on the end use of the device." The Office Action then states that it would be obvious to modify the Yamamoto reference with flat stacked capacitor plates "since Farahmandi et al in column 25 lines 17-50 teaches that a flat capacitor configuration has enhanced capacitance values of excess of 2200 farads at nominal working voltages and resistances, to attain the benefit of enhanced capacitance in the Yamamoto et al system." (Page 3, Office Action).

However, this mischaracterizes and reads too much into the Farahmandi et al reference. The Farahmandi et al reference is directed to a high performance double layer capacitor. (Col. 3, lines 28-29). The double layer capacitor of Farahmandi et al includes a pair of aluminum impregnated carbon electrodes. (Col. 3, lines 36-37). Farahmandi discusses that this double layer electrode can be formed as a flat stack capacitor, (See Figures 11A, 11B and accompanying discussion), or it can be formed as a spiral wound capacitor (See Figure 11C and accompanying discussion). Accordingly, the supposed motivation pointed out by the Examiner above applies to either a flat stacked capacitor or a rolled capacitor. Therefore, one skilled in the art would not need to modify the Yamamoto reference from a rolled capacitor to a flat capacitor to realize the advantages discussed in the Farahmandi reference. Therefore, there is still no motivation to modify the Yamamoto reference using flat capacitor plates.

Claims 46-52 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 53 and 55-57

Claim 53 recites providing a first flat stack of capacitive elements where each element comprises flat anode plate and a flat cathode plate with an electrolyte interposed therebetween, and providing a second flat stack of capacitive elements. Applicant believes this subject matter is not obvious in view of the cited references and the discussion for claim 45 is incorporated herein by reference.

Claims 55-57 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 59, 60, and 62

Claim 59 recites a first flat stack of one or more flat capacitive elements in the first compartment, and a second flat stack of one or more flat capacitive elements in the second compartment. Applicant believes this subject matter is not obvious in view of the cited references and the discussion for claim 45 is incorporated herein by reference.

Claims 60 and 62 and 100-101 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claim 54 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto (U.S. Patent No. 3,803,457) in view of Farahmandi et al. (U.S. Patent No. 6,451,073) and further in view of Inagawa et al. (U.S. Patent No. 6,324,049).

Claim 54 includes each limitation of its parent claim 53. Applicant believes claim 54 is not obvious in view of the cited references since the secondary reference does not overcome the deficiencies of the primary reference discussed above. Reconsideration and allowance is respectfully requested.

Claims 58 and 61 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto (U.S. Patent No. 3,803,457) in view of Farahmandi et al. (U.S. Patent No. 6,451,073) and further in view of Yoshida (U.S. Patent No. 4,394,713).

Claims 58 and 61 include all the limitations of their respective parent claims. Applicant believes the claims are not obvious in view of the cited references since the secondary reference does not overcome the deficiencies of the primary reference discussed above. Reconsideration and allowance is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of February, 2006.

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Name

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Signature